



STATE OF WISCONSIN Assembly Journal

Ninety-Fifth Regular Session

9:30 A.M.

THURSDAY, February 7, 2002

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Jensen in the chair.

Representative Foti asked unanimous consent for a quorum call. Granted.

A quorum was present.

Speaker Pro Tempore Freese in the chair.

The prayer was offered by Representative Bies.

Miss America Katie Harmon led the membership in reciting the pledge of allegiance to the flag of the United States of America.

SPECIAL GUEST

Speaker Pro Tempore Freese introduced Miss America Katie Harmon from Gresham, Oregon, who addressed the members from the rostrum.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Hahn, Hebl, Hines, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Urban, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 98.

Absent with leave – Representative Gundrum – 1.

Vacancies – None.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for today's session for Representative Gundrum. Granted.

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 639** offered by Representative Gronemus.

Assembly substitute amendment 1 to **Assembly Bill 709** offered by Representatives Underheim and Lassa.

ADMINISTRATIVE RULES

Assembly Clearinghouse Rule 00–025

Relating to the runoff management grant program.
Submitted by Department of Natural Resources.
Report received from Agency, January 30, 2002.
To committee on **Natural Resources**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 00–026

Relating to model ordinances for construction site erosion control and storm water management.
Submitted by Department of Natural Resources.
Report received from Agency, January 30, 2002.
To committee on **Natural Resources**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 00–027

Relating to runoff management.
Submitted by Department of Natural Resources.
Report received from Agency, January 30, 2002.
To committee on **Natural Resources**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 00–028

Relating to the priority watershed management program.
Submitted by Department of Natural Resources.
Report received from Agency, January 30, 2002.
To committee on **Natural Resources**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 00–034

Relating to animal feeding operations.

Submitted by Department of Natural Resources.
Report received from Agency, January 30, 2002.
To committee on **Natural Resources**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 00–035

Relating to stormwater discharge.
Submitted by Department of Natural Resources.
Report received from Agency, January 30, 2002.
To committee on **Natural Resources**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 00–036

Relating to best management practices, conditions and technical standards.
Submitted by Department of Natural Resources.
Report received from Agency, January 30, 2002.
To committee on **Natural Resources**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 01–016

Relating to permit fees for the operation of public swimming pools, recreational and educational camps, campgrounds, hotels and motels, tourist rooming houses, restaurants, bed and breakfast establishments and food and beverage vending operations and commissaries.
Submitted by Department of Health and Family Services.
Report received from Agency, February 1, 2002.
To committee on **Tourism and Recreation**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 01–103

Relating to department standards for erosion control in lakes and impoundments.
Submitted by Department of Natural Resources.
Report received from Agency, January 30, 2002.
To committee on **Natural Resources**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 01–104

Relating to the control of underground injection wells.
Submitted by Department of Natural Resources.
Report received from Agency, January 30, 2002.
To committee on **Environment**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 01–114

Relating to pesticide product restrictions.
Submitted by Department of Agriculture, Trade and Consumer Protection.
Report received from Agency, January 31, 2002.
To committee on **Agriculture**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 01–140

Relating to career executive employment and various technical changes to bring the rules into consistency with the statutes and compensation plan.
Submitted by Department of Employment Relations.
Report received from Agency, January 28, 2002.
To committee on **Government Operations**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 01–141

Relating to certification for employment consideration, probationary periods, transfers of career executive employees and various technical changes to bring the rules into consistency with the statutes and compensation plan.
Submitted by Department of Employment Relations.
Report received from Agency, January 28, 2002.
To committee on **Government Operations**.
Referred on February 7, 2002.

Assembly Clearinghouse Rule 02–001

Relating to registration fees paid by persons who make or solicit consumer credit transactions.
Submitted by Department of Financial Institutions.
Report received from Agency, January 29, 2002.
To committee on **Financial Institutions**.
Referred on February 7, 2002.

**INTRODUCTION AND REFERENCE
OF PROPOSALS**

Read first time and referred:

Assembly Joint Resolution 94

Relating to: recognizing Harley–Davidson, Inc., for being selected by Forbes Magazine as Company of the Year.

By Representatives Walker, Gunderson, Riley, Stone, Jeskewitz, Friske, Vrakas, Freese, Urban, J. Fitzgerald, Kestell, Richards, McCormick, Sinicki, Duff, Rhoades, Starzyk, Sykora, Ladwig, Krug, Ryba, Townsend, Hahn, Owens, Turner, D. Meyer, Plouff, Pettis, Olsen, Krawczyk, Staskunas, Lassa, Miller, Albers, Nass and Grothman; cosponsored by Senators Rosenzweig, Lazich, Darling, George, Breske, S. Fitzgerald, Shibilski, Grobschmidt, Panzer, Erpenbach, Burke, Cowles, Decker, Plache, Roessler, Wirsch, Kanavas, Schultz, Huelsman and Harsdorf.

To committee on **Rules**.

Assembly Bill 774

Relating to: prohibiting the use of information in credit reports for issuing or setting premiums for motor vehicle insurance.

By Representatives Underheim, Miller, Gronemus, Musser, Hines, Loeffelholz, Turner, Petrowski, Young, Albers and Wood; cosponsored by Senators Roessler, Wirsch and Welch.

To committee on **Insurance**.

Assembly Bill 775

Relating to: retirement benefits provided to educational support personnel under the Wisconsin retirement system.

By Representatives Bies, Sherman, J. Lehman, Pocan, Musser, Ryba, Plouff, Gronemus, Williams, Black, Lassa, Turner and Lippert; cosponsored by Senators Risser, Burke, Wirsch, Baumgart and George.

To joint survey committee on **Retirement Systems**.

Assembly Bill 776

Relating to: regulating cemeteries, cemetery associations, cemetery authorities, and cemetery salespersons, sales of

certain funeral and burial merchandise and services, creating a cemetery board and a cemetery management insurance fund, granting rule-making authority, requiring the exercise of rule-making authority, and providing a penalty.

By Representatives Morris-Tatum, Young, Coggs and Williams; cosponsored by Senators George, Moore and Darling.

To committee on **Small Business and Consumer Affairs**.

Assembly Bill 777

Relating to: prohibiting the issuance of certificates of title transferring motor vehicle ownership in certain cases involving a refusal to take a test to determine an individual's blood alcohol concentration (suggested as remedial legislation by the department of transportation).

By Law Revision Committee.

To committee on **Transportation**.

Assembly Bill 778

Relating to: the property tax exemption for nonprofit medical research foundations.

By Representatives Petrowski, Kreibich, Balow, Urban, Huber, Kestell, Powers, Bies, Musser and Vrakas; cosponsored by Senator Moen.

To joint survey committee on **Tax Exemptions**.

Assembly Bill 779

Relating to: renaming the institute for environmental studies at the University of Wisconsin-Madison.

By Representatives Travis, Plouff, Hubler, Boyle, Ryba, Schneider, Krug, Miller, Turner, Lassa, J. Lehman, Berceau and Bock; cosponsored by Senators Risser, Erpenbach, Moen, Plache, Grobschmidt and Wirch.

To committee on **Colleges and Universities**.

Assembly Bill 780

Relating to: the regulation of certain sources of ionizing radiation (suggested as remedial legislation by the department of health and family services).

By Law Revision Committee.

To committee on **Government Operations**.

Assembly Bill 781

Relating to: revisions and additions to condominium law.

By Joint Legislative Council.

To committee on **Housing**.

Assembly Bill 782

Relating to: electric personal assistive mobility devices, granting rule-making authority, and providing penalties.

By Representative Stone; cosponsored by Senator Breske.

To committee on **Transportation**.

Assembly Bill 783

Relating to: salaries paid to the governor, state senators, and representatives to the assembly during the 2003-04 legislature.

By Representatives Ziegelbauer, Nass, Albers, Bies, Carpenter, Colon, Grothman, Hahn, Hines, Hundertmark, Jeskewitz, Kestell, Kreibich, F. Lasee, Lassa, Leibham,

Lippert, Loeffelholz, Miller, Pettis, Plouff, Reynolds, Shilling, Starzyk, Staskunas, Steinbrink, Suder, Underheim, Walker, Wasserman, Seratti and Townsend; cosponsored by Senators Hansen, Darling, Roessler, Rosenzweig, Schultz and Zien.

To joint committee on **Employment Relations**.

Assembly Bill 784

Relating to: regulating the negotiation and collection of demand drafts.

By Representatives Jeskewitz, La Fave, Kestell, Sinicki, M. Lehman, J. Fitzgerald, Musser, Townsend, Krawczyk, Hahn, J. Lehman, Rhoades, McCormick, Richards, Albers, Plale, Olsen, Shilling, Lassa, Balow and Miller; cosponsored by Senators Erpenbach, Robson, Burke, Kanavas, S. Fitzgerald and Plache.

To committee on **Financial Institutions**.

Assembly Bill 785

Relating to: reporting requirements on wood products that are cut from county forests.

By Representatives Gard, Ainsworth, Seratti, Krawczyk, Hines, Hahn, Musser, McCormick, Ott, Grothman, Friske, Sykora and Albers; cosponsored by Senators Breske, Schultz and Welch.

To committee on **Rural Affairs and Forestry**.

Assembly Bill 786

Relating to: to the effective period of comprehensive county forest land use plans.

By Representatives Gard, Ainsworth, Friske, Seratti, Krawczyk, Hines, Hahn, Musser, McCormick, Ott, Miller, Grothman, Sykora and Albers; cosponsored by Senators Breske, Cowles, Schultz and Welch.

To committee on **Rural Affairs and Forestry**.

Assembly Bill 787

Relating to: the advertising of a sale of timber that has an estimated value of \$3,000 or more and that comes from state, county, or community forests.

By Representatives Gard, Ainsworth, Friske, Seratti, Krawczyk, Hines, Hahn, McCormick, Ott, Sykora and Albers; cosponsored by Senators Breske, Welch and Schultz.

To committee on **Rural Affairs and Forestry**.

Assembly Bill 788

Relating to: creating a council on forestry.

By Representatives Gard, Ainsworth, Friske, Seratti, Krawczyk, Hines, Kaufert, Musser, McCormick, Ott and Albers; cosponsored by Senators Breske, Welch and Schultz.

To committee on **Rural Affairs and Forestry**.

Assembly Bill 789

Relating to: exempting from income taxation the pension benefits of certain national guard technicians and interest and penalty waivers for certain payments made to national guard technicians.

By Representatives Carpenter, Sinicki, La Fave, Suder, Miller, Musser, Urban, Lassa and Gunderson; cosponsored by Senators Burke, Shibilski and Schultz.

To committee on **Veterans and Military Affairs**.

To joint survey committee on **Tax Exemptions**.

COMMITTEE REPORTS

The committee on **Health** reports and recommends:

Assembly Bill 457

Relating to: mandatory overtime hours worked by health care workers employed by health care facilities and providing penalties.

Passage:

Ayes: 14 – Representatives Underheim, Urban, Johnsrud, Krawczyk, Lippert, Seratti, Walker, Wieckert, Wasserman, Carpenter, La Fave, Miller, Colon and Shilling.

Noes: 2 – Representatives F. Lasee and Olsen.

To joint committee on **Finance**.

GREGG UNDERHEIM
Chairperson
Committee on Health

The committee on **Ways and Means** reports and recommends:

Assembly Bill 740

Relating to: indexing for inflation the working families tax credit, the married persons tax credit, and the school property tax credit.

Passage:

Ayes: 12 – Representatives M. Lehman, Ainsworth, Jeskewitz, Olsen, Owens, Starzyk, Sykora, Ziegelbauer, Wood, Morris–Tatum, Turner and Pocan.

Noes: 0.

To joint committee on **Finance**.

MICHAEL LEHMAN
Chairperson
Committee on Ways and Means

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 58

Passed and asks concurrence in:

Senate Bill 330

Senate Bill 333

Senate Bill 347

Concurred in:

Assembly Joint Resolution 89

Assembly Joint Resolution 93

Assembly Bill 742

Amended and concurred in as amended:

Assembly Bill 358 (Senate amendments 1 and 2 adopted)

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 58

Relating to: recognizing February 6 as Ronald Reagan Day.

By Senators Panzer, Darling, Rosenzweig, A. Lasee, Huelsman, Schultz, Kanavas, Welch, Lazich, S. Fitzgerald, Roessler and Zien; cosponsored by Representatives Jensen, Gunderson, Vrakas, Sykora, J. Fitzgerald, Owens, Kestell, Kreibich, Turner, Musser, Huebsch, Krawczyk, Leibham, McCormick, Townsend, Ladwig, Hahn, Olsen, Ott, Jeskewitz, Grothman, Pettis, Albers and Miller.

To committee on **Rules**.

Senate Bill 330

Relating to: establishing a Wisconsin outdoor wildlife heritage trust fund and making an appropriation.

By Senators Baumgart, Shibilski, Burke, Schultz, Grobschmidt, Robson, Wirch, Roessler, Risser, Darling, Hansen and S. Fitzgerald; cosponsored by Representatives Gunderson, Krug, Lassa, Carpenter, J. Lehman, Colon, Hahn, Miller, Albers, Balow, Leibham, Ott, Pettis, Powers, Musser, McCormick, Lippert, Krawczyk, Petrowski, Stone, Vrakas, Huebsch and Hundertmark.

To committee on **Rules**.

Senate Bill 333

Relating to: merger and conversion of business entities, exemptions from securities registration requirements and licensing requirements for securities broker–dealers and securities agents, registered agents for business entities, filing of documents relating to certain business entities, administrative dissolution of business entities, amended certificates of authority for certain foreign business entities, granting rule–making authority, and making an appropriation.

By Senators M. Meyer, Cowles, Burke, Darling, S. Fitzgerald, Huelsman, Kanavas, Roessler and Harsdorf; cosponsored by Representatives Jeskewitz, Plale, Vrakas, Duff, Grothman, Hines, Krawczyk, La Fave, Lassa, McCormick, Olsen, Stone, Townsend, Urban, Walker, Sykora and Kreibich.

To committee on **Rules**.

Senate Bill 347

Relating to: eliminating redundancy in statutes pertaining to license renewal requirements; limiting a credential issued by an examining board; use of the term “credential” in the statutes pertaining to the department of regulation and licensing; changing the definition of “licensing” as it relates to administrative procedure; the award of costs in a contested administrative case; persons exempt from regulation as private detectives or private security personnel; and renumbering and creating statutory titles for provisions pertaining to immunity from liability for testimony to the

department of regulation and licensing and attached boards, advisory committees to the department of regulation and licensing and attached boards, and cemetery preneed sellers (suggested as remedial legislation by the department of regulation and licensing).

By Law Revision Committee.

To committee on **Small Business and Consumer Affairs**.

Assembly Bill 358

Relating to: exceptions from the requirement to obtain a license to practice professional geology, professional hydrology, or professional soil science and granting rule-making authority.

By Representatives Duff, Bock, Vrakas, Gunderson, Grothman, Ott, Hoven, Ryba, Petrowski and Townsend; cosponsored by Senator Grobschmidt.

To committee on **Rules**.

ENROLLED BILLS

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

Assembly Bill 31
Assembly Bill 147
Assembly Bill 206
Assembly Bill 242
Assembly Bill 368
Assembly Bill 507
Assembly Bill 742

JOHN A. SCOCOS
Assembly Chief Clerk

SPEAKER'S COMMUNICATIONS

February 7, 2002

John A. Scocos
Assembly Chief Clerk
1 East Main Street, Suite 402

Dear Mr. Scocos:

On December 21, 2001, **Assembly Bill 694** relating to: the disclosure of information about licensed nurses to the coordinated licensure information system, was referred to the Assembly Committee on Labor and Workforce Development. On January 31, 2002, **Senate Bill 356** relating to: the disclosure of information about licensed nurses to the coordinated licensure information system, was referred to the Assembly Committee on Labor and Workforce Development. Pursuant to Assembly Rule **42 (3)(c)**, I hereby withdraw **Assembly Bill 694** and **Senate Bill 356** from the Assembly Committee on Labor and Workforce Development and re-refer those bills to the Assembly Committee on Health.

Representative Hundertmark has been notified of this re-referral and approves.

Sincerely,
SCOTT R. JENSEN
Assembly Speaker

COMMUNICATIONS

February 6, 2002

Mr. John Scocos
Chief Clerk
Wisconsin State Assembly
Madison, WI 53708

Dear Mr. Scocos:

Please withdraw my name as a co-sponsor of Representative Gronemus' bill, Assembly Bill 754. Assembly Bill 754 relates to creating an electric pollution board, establishing an electric pollution fund, requiring electric utilities and cooperative associations to remedy certain current-flow problems, imposing a surcharge on electric bills, granting rule-making authority, making an appropriation, and providing penalties.

If you need any further information, or questions, please contact me.

Thank you for your time.

Sincerely,
SENATOR SCOTT FITZGERALD
13th Senate District

REFERRAL OF AGENCY REPORTS

State of Wisconsin
Department of Employment Relations
Madison

January 31, 2002

To the Honorable, the Assembly:

Pursuant to s. **230.04 (9)(e)**, Wis. Stats., I am pleased to submit the 2001 Annual Report on Affirmative Action for Wisconsin State Government. The report summarizes the progress in diversity for minorities, women and employees with disabilities.

We are pleased to report that last year Wisconsin State government had the highest percentage (16.4%) of newly hired minorities in the state's history. This percentage is more than twice the representation of minorities in the general Wisconsin labor force (7.5%).

The report is available on the DER web page: <http://der.state.is.us/static/EEOAReport.htm>. Please advise members of the Wisconsin Assembly of the report's availability. You may contact Pepe Indalecio of the Division

of Affirmative Action at 266-6475 if you have any questions or need additional information.

Sincerely,
PETER D. FOX
Secretary

Referred to committee on **Labor and Workforce Development**.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for part of today's session for Representative Seratti. Granted.

Representative Vrakas asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

9:45 A.M.

RECESS

12:01 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Foti asked unanimous consent for a quorum call. Granted.

A quorum was present.

Representative Seratti asked unanimous consent that her leave of absence be lifted. Granted.

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 57

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 57

Relating to: urging the Minnesota legislature to continue the income tax reciprocity agreement between Minnesota and Wisconsin.

By Senators Jauch, Harsdorf, M. Meyer, Schultz, A. Lasee, Darling, Plache, Baumgart, Rosenzweig and Burke;

cosponsored by Representatives Rhoades, Pettis, Plouff, Huebsch, Boyle, Shilling, Johnsrud, Kreibich, Freese, Jeskewitz, Sykora, Gunderson, Gronemus, Owens, Townsend, Urban, Turner, Hines, Lassa, Vrakas, Miller, Ryba, Cogs and Hubler.

Representative Cullen introduced a privileged resolution.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Resolution 51

Relating to: review before the payment by the assembly of legal fees for representatives to the assembly, assembly employees, and assembly committees.

By Representatives Cullen, Staskunas, Krusick, Carpenter, Bock, Colon, Kreuser, J. Lehman, Plouff, Richards, Hebl, Berceau and Steinbrink.

To committee on **Assembly Organization**.

Representative Cullen asked unanimous consent that the rules be suspended and that **Assembly Resolution 51** be withdrawn from the committee on **Assembly Organization** and taken up at this time.

Representative Foti objected.

Representative Cullen moved that **Assembly Resolution 51** be withdrawn from the committee on **Assembly Organization** and taken up at this time.

The Assembly stood informal.

12:47 P.M.

INFORMAL

1:57 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Vrakas asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

1:58 P.M.

RECESS

3:10 P.M.

The Assembly reconvened.

Speaker Jensen in the chair.

Representative Foti asked unanimous consent for a quorum call. Granted.

A quorum was present.

Speaker Pro Tempore Freese in the chair.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for part of today's session for Representatives Seratti and Urban. Granted.

Assembly Resolution 51

Relating to: review before the payment by the assembly of legal fees for representatives to the assembly, assembly employees, and assembly committees.

The question was: Shall the rules be suspended and **Assembly Resolution 51** be withdrawn from the committee on **Assembly Organization** and taken up at this time?

The roll was taken.

The result follows:

Ayes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams, Wood, Young and Ziegelbauer – 42.

Noes – Representatives Ainsworth, Albers, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Grothman, Gunderson, Hahn, Hines, Hoven, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Schneider, Skindrud, Starzyk, Stone, Suder, Sykora, Townsend, Underheim, Vrakas, Walker, Ward, Wieckert and Speaker Jensen – 54.

Absent or not voting – Representatives Gundrum, Seratti and Urban – 3.

Motion failed.

Senate Joint Resolution 57

Relating to: urging the Minnesota legislature to continue the income tax reciprocity agreement between Minnesota and Wisconsin.

Representative Sherman asked unanimous consent to be added as a cosponsor of **Senate Joint Resolution 57**. Granted.

The question was: Shall **Senate Joint Resolution 57** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 57** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 358** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Assembly Bill 358

Relating to: exceptions from the requirement to obtain a license to practice professional geology, professional hydrology, or professional soil science and granting rule-making authority.

The question was: Shall Senate amendment 1 to **Assembly Bill 358** be concurred in?

Motion carried.

The question was: Shall Senate amendment 2 to **Assembly Bill 358** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that the Assembly's action on **Assembly Bill 358** be immediately messaged to the Senate. Granted.

CALENDAR OF THURSDAY, FEBRUARY 7

Assembly Bill 217

Relating to: sales and taste samples of fruit-based intoxicating liquor for consumption on or off the premises where manufactured or rectified.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 217** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 217** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 217** be given a third reading. Granted.

The question was: **Assembly Bill 217** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 217** be immediately messaged to the Senate. Granted.

Assembly Bill 224

Relating to: providing shampooing services in barber or cosmetologist establishments.

The question was: Shall Assembly substitute amendment 1 to **Assembly Bill 224** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 224** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 224** be given a third reading. Granted.

The question was: **Assembly Bill 224** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Albers, Balow, Bock, Boyle, Carpenter, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Hebl, Hines, Hoven, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, J. Lehman, Leibham, Lippert, Loeffelholz, Miller, Montgomery, Nass, Olsen, Ott, Owens, Pettis, Plale, Powers, Rhoades, Richards, Sherman, Skindrud, Starzyk, Steinbrink, Stone, Sykora, Townsend, Underheim, Vrakas, Walker, Ward, Wieckert, Williams and Speaker Jensen – 62.

Noes – Representatives Ainsworth, Berceau, Bies, Black, Coggs, Hahn, Huber, Krawczyk, La Fave, Lassa, M. Lehman, McCormick, D. Meyer, Meyerhofer, Morris–Tatum, Musser, Petrowski, Plouff, Pocan, Reynolds, Riley, Ryba, Schneider, Schooff, Shilling, Sinicki, Staskunas, Suder, Travis, Turner, Wasserman, Wood, Young and Ziegelbauer – 34.

Absent or not voting – Representatives Gundrum, Seratti and Urban – 3.

Motion carried.

Representative Morris-Tatum asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Representative Coggs asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Representative Riley asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Representative Turner asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 224** be immediately messaged to the Senate. Granted.

Assembly Bill 357

Relating to: the duration of the effect of emergency rules.

The question was: Shall **Assembly Bill 357** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 357** be given a third reading. Granted.

The question was: **Assembly Bill 357** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 357** be immediately messaged to the Senate. Granted.

Assembly Bill 376

Relating to: funeral establishment permits.

The question was: Shall **Assembly Bill 376** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 376** be given a third reading.

Representative Black objected.

Assembly Bill 600

Relating to: sales of damaged timber by the department of natural resources and from county forest lands.

The question was: Shall **Assembly Bill 600** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 600** be given a third reading. Granted.

The question was: **Assembly Bill 600** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 600** be immediately messaged to the Senate. Granted.

Assembly Bill 650

Relating to: merger and conversion of business entities, exemptions from securities registration requirements and licensing requirements for securities broker–dealers and securities agents, registered agents for business entities, filing of documents relating to certain business entities, administrative dissolution of business entities, amended certificates of authority for certain foreign business entities, granting rule–making authority, and making an appropriation.

Representative Riley asked unanimous consent to be made a coauthor of **Assembly Bill 650**. Granted.

Representative Foti asked unanimous consent that **Assembly Bill 650** be laid on the table. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 333** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Senate Bill 333

Relating to: merger and conversion of business entities, exemptions from securities registration requirements and licensing requirements for securities broker–dealers and

securities agents, registered agents for business entities, filing of documents relating to certain business entities, administrative dissolution of business entities, amended certificates of authority for certain foreign business entities, granting rule-making authority, and making an appropriation.

The question was: Shall **Senate Bill 333** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 333** be given a third reading. Granted.

The question was: **Senate Bill 333** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Hahn, Hebl, Hines, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 93.

Noes – Representatives Carpenter, Morris–Tatum and Schneider – 3.

Absent or not voting – Representatives Gundrum, Seratti and Urban – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 333** be immediately messaged to the Senate. Granted.

Assembly Bill 676

Relating to: veterinary postgraduate training permits.

Representative Foti asked unanimous consent that **Assembly Bill 676** be laid on the table. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 340** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

Senate Bill 340

Relating to: veterinary postgraduate training permits.

The question was: Shall **Senate Bill 340** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 340** be given a third reading. Granted.

The question was: **Senate Bill 340** having been read three times, shall the bill be concurred in?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Gunderson, Hahn, Hebl, Hines, Hoven, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 96.

Noes – None.

Absent or not voting – Representatives Gundrum, Seratti and Urban – 3.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 340** be immediately messaged to the Senate. Granted.

Assembly Bill 695

Relating to: educational requirements for foresters employed by the department of natural resources and persons authorized to designate trees for cutting in state forests.

The question was: Shall Assembly amendment 1 to **Assembly Bill 695** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 695** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 695** be given a third reading. Granted.

The question was: **Assembly Bill 695** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 695** be immediately messaged to the Senate. Granted.

Assembly Bill 725

Relating to: the practice of nurse–midwifery, providing an exemption from emergency rule procedures, and granting rule–making authority.

The question was: Shall Assembly amendment 1 to **Assembly Bill 725** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 725** offered by Representative F. Lasee.

Representative F. Lasee asked unanimous consent that Assembly amendment 2 to **Assembly Bill 725** be withdrawn and returned to the author. Granted.

Assembly amendment 3 to **Assembly Bill 725** offered by Representative F. Lasee.

Representative F. Lasee asked unanimous consent that Assembly amendment 3 to **Assembly Bill 725** be withdrawn and returned to the author. Granted.

The question was: Shall **Assembly Bill 725** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 725** be given a third reading. Granted.

The question was: **Assembly Bill 725** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 725** be immediately messaged to the Senate. Granted.

Assembly Bill 769

Relating to: sales tax on motor vehicles purchased after a consumer receives a refund under a new motor vehicle warranty.

Assembly amendment 1 to **Assembly Bill 769** offered by Representatives Schooff and Wood.

LEAVES OF ABSENCE

Representative Vrakas asked unanimous consent for a leave of absence for part of today’s session for Representatives Gunderson and Hoven. Granted.

POINT OF ORDER

Representative Duff rose to the point of order that Assembly amendment 1 to **Assembly Bill 769** was not germane under Assembly Rule 54.

Speaker Pro Tempore Freese ruled the point of order **well taken**.

Representative Schooff appealed the ruling of the Chair.

The question was: Shall the ruling of the Chair stand as the ruling of the Assembly?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Hahn, Hines, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Montgomery, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Skindrud, Starzyk, Stone, Suder, Sykora, Townsend, Underheim, Vrakas, Walker, Ward, Wieckert, Ziegelbauer and Speaker Jensen – 53.

Noes – Representatives Balow, Berceau, Black, Bock, Boyle, Carpenter, Coggs, Colon, Cullen, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams, Wood and Young – 41.

Absent or not voting – Representatives Gunderson, Gundrum, Hoven, Seratti and Urban – 5.

Motion carried.

Assembly amendment 2 to **Assembly Bill 769** offered by Representatives Schooff and Wood.

POINT OF ORDER

Representative Duff rose to the point of order that Assembly amendment 2 to **Assembly Bill 769** was not germane under Assembly Rule 54.

Speaker Pro Tempore Freese ruled the point of order **well taken**.

Representative Schooff appealed the ruling of the Chair.

Representative Wood asked unanimous consent to be excused from voting under Assembly Rule 77. Granted.

Representative Hebl asked unanimous consent to be excused from voting under Assembly Rule 77. Granted.

Representative Kedzie asked unanimous consent to be excused from voting under Assembly Rule 77. Granted.

Representative Kreuser asked unanimous consent to be excused from voting under Assembly Rule 77. Granted.

Representative Montgomery asked unanimous consent to be excused from voting under Assembly Rule 77. Granted.

Representative Nass asked unanimous consent to be excused from voting under Assembly Rule 77. Granted.

Representative Powers asked unanimous consent to be excused from voting under Assembly Rule 77. Granted.

Representative Riley asked unanimous consent to be excused from voting under Assembly Rule 77. Granted.

LEAVES OF ABSENCE

Representative Bock asked unanimous consent for a leave of absence for part of today's session for Representatives Carpenter and Cullen. Granted.

The question was: Shall the ruling of the Chair stand as the ruling of the Assembly?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Grothman, Hahn, Hines, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Musser, Olsen, Ott, Owens, Petrowski, Pettis, Rhoades, Skindrud, Starzyk, Stone, Suder, Sykora, Townsend, Underheim, Vrakas, Walker, Ward, Wieckert, Ziegelbauer and Speaker Jensen – 48.

Noes – Representatives Balow, Berceau, Black, Bock, Boyle, Coggs, Colon, Gronemus, Huber, Hubler, Krug, Krusick, La Fave, Lassa, J. Lehman, Meyerhofer, Miller, Morris–Tatum, Plale, Plouff, Pocan, Reynolds, Richards, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Wasserman, Williams and Young – 36.

Absent or not voting – Representatives Carpenter, Cullen, Gunderson, Gundrum, Hebl, Hoven, Kedzie, Kreuser, Montgomery, Nass, Powers, Riley, Seratti, Urban and Wood – 15.

Motion carried.

The question was: Shall **Assembly Bill 769** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 769** be given a third reading. Granted.

The question was: **Assembly Bill 769** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Bock, Boyle, Coggs, Colon, Duff, J. Fitzgerald, Foti, Freese, Friske, Gard, Gronemus, Grothman, Hahn, Hebl, Hines, Huber, Hubler, Huebsch, Hundertmark, Jeskewitz, Johnsrud, Kaufert, Kedzie, Kestell, Krawczyk,

Kreibich, Kreuser, Krug, Krusick, La Fave, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, Leibham, Lippert, Loeffelholz, McCormick, D. Meyer, Meyerhofer, Miller, Montgomery, Morris–Tatum, Musser, Nass, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Powers, Reynolds, Rhoades, Richards, Riley, Ryba, Schneider, Schooff, Sherman, Shilling, Sinicki, Skindrud, Starzyk, Staskunas, Steinbrink, Stone, Suder, Sykora, Townsend, Travis, Turner, Underheim, Vrakas, Walker, Ward, Wasserman, Wieckert, Williams, Wood, Young, Ziegelbauer and Speaker Jensen – 92.

Noes – None.

Absent or not voting – Representatives Carpenter, Cullen, Gunderson, Gundrum, Hoven, Seratti and Urban – 7.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 769** be immediately messaged to the Senate. Granted.

Assembly Bill 689

Relating to: approval by the joint committee on finance of contracts to sell or exchange state land under the jurisdiction of the department of natural resources.

The question was: Shall **Assembly Bill 689** be ordered engrossed and read a third time?

Motion carried.

Senate Bill 38

Relating to: the speed limit at certain intersections marked with school crossing signs and providing a penalty.

The question was: Shall **Senate Bill 38** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 38** be given a third reading. Granted.

The question was: **Senate Bill 38** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 38** be immediately messaged to the Senate. Granted.

Senate Bill 116

Relating to: notification to the legislature of a proposed rule.

The question was: Shall **Senate Bill 116** be ordered to a third reading?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 116** be given a third reading. Granted.

The question was: **Senate Bill 116** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Bill 116** be immediately messaged to the Senate. Granted.

ANNOUNCEMENTS

Representative Vrakas asked unanimous consent that the Assembly adjourn in memory of Travis Massino, who passed away on February 4 after a long and courageous battle with Fanconi Anemia. Granted.

Representative Wasserman asked unanimous consent that the Assembly adjourn in honor of Joseph Hughes and Bridget O'Brien on the occasion of their wedding on February 16. Granted.

Representative Coggs asked unanimous consent that the Assembly adjourn in honor of Alexander Dumas, who is the author of The Three Musketeers, The Man in the Iron Mask and The Count of Monte Cristo. Granted.

Representative Sherman asked unanimous consent that the Assembly adjourn in honor of Congressman John Lewis from Georgia. Granted.

Representative Sherman asked unanimous consent that the Assembly adjourn in honor of John Lewis, pianist for the Modern Jazz Quartet. Granted.

Representative Gronemus asked unanimous consent that the Assembly adjourn in honor of her granddaughter, Bonnie Jean Baken, senior at Whitehall High School who was admitted to the Honor Society. Granted.

Representative Hebl asked unanimous consent that the Assembly adjourn in honor of Ken Stigler, on the occasion of his 31st anniversary working in the Assembly Chief Clerk's office. Granted.

ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 10:00 A.M. on Tuesday, February 26, pursuant to **Senate Joint Resolution 1**.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

5:00 P.M.